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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,566	03/29/2001	Kenneth W. Aull	15-0223	5875

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EXAMINER

JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/821,566

Applicant(s)

AULL

Examiner

David Y Jung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claims Presented*

Claims 1-15 are presented.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shurts (US Patent 5,572,673, cited by Applicant) and Edwards (EPO 0926605A1, cited by Applicant).

In regard to claim 1, Shurts teaches "An accessing method comprising:  
attempting access ... entity having a first preselected security level by search engine  
having a second preselected security level;

allowing access the first .... entity by search engine upon the second security  
level being equal to or higher than the first security level; attempting access of the  
search engine by a user having third preselected security level; and

allowing access of search engine by the user upon the third security level being  
equal higher than the second security level. (column 2, line 35 to column 4, line 17, i.e.  
various sensitivity levels handled by the database kernel). As a database kernel is used

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as a search engine, Shurts teaches these features.

Even if one disagrees and takes the positions that a database kernel is not sufficient to teach a search engine and that a network is necessary to teach a search engine, one can look to Edwards to teach the deficiencies of Shurts.

Shurts is not explicit regarding "network."

Edwards teaches such "network (column 3, i.e. Web, browser)" for the motivation of handling an Internet system (column 3, Internet). Note that both Shurts and Edwards discusses Mandatory Access Control (MAC).

It would have been obvious to those of ordinary skill in the art, at the time of the claimed invention, to combine the teachings of Shurts and Edwards so as to teach the claimed invention for the motivation stated in the previous sentences.

Regarding claims 2, 4 (use of digital certificate, etc.) these features are well known in the art for the motivation of security. Regarding claims 3, 5 (handling various levels of security, etc.) .) these features are well known in the art for the motivation of using more specific handling of security (e.g., MAC computerizing department of defence's multilevel security – as noted at column 4 of Edwards).

In regard to claim 6, Shurts teaches ". An accessing method comprising: attempting access of a secured ... server having a first preselected security level by a search engine having a second preselected security level; allowing access of the secured Web server by the search engine upon the second security level being equal to or higher than the first security level; attempting access of the search engine a user having a third preselected security level; and allowing access of search engine by the

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user upon the third security level being equal or higher than the second security level. (column 2, line 35 to column 4, line 17, i.e. various sensitivity levels handled by the database kernel). As a database kernel is used as a search engine, Shurts teaches these features.

Shurts is not explicit regarding "Web."

Edwards teaches such "Web (column 3, i.e. Web, browser)" for the motivation of handling an Internet system (column 3, Internet). Note that both Shurts and Edwards discusses Mandatory Access Control (MAC).

It would have been obvious to those of ordinary skill in the art, at the time of the claimed invention, to combine the teachings of Shurts and Edwards so as to teach the claimed invention for the motivation stated in the previous sentences.

Regarding claims 7, 9 (use of digital certificate, etc.) these features are well known in the art for the motivation of security. Regarding claims 8, 10 (handling various levels of security, etc.) .) these features are well known in the art for the motivation of using more specific handling of security (e.g., MAC computerizing department of defence's multilevel security – as noted at column 4 of Edwards).

In regard to claim 11, Shurts teaches "A ... comprising: ...d entity having first preselected security level; a search engine having a second preselected security level, wherein the first ... entity allows access by the search engine upon the second security level being equal to or higher than the first security level; and a user having a third preselected security level, wherein the search engine allows access by the user upon the third security level being equal to or higher than the second security level (column 2,

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line 35 to column 4, line 17, i.e. various sensitivity levels handled by the database kernel). As a database kernel is used as a search engine, Shurts teaches these features.

Shurts is not explicit regarding "network."

Edwards teaches such "network (column 3, i.e. Web, browser)" for the motivation of handling an Internet system (column 3, Internet). Note that both Shurts and Edwards discusses Mandatory Access Control (MAC).

It would have been obvious to those of ordinary skill in the art, at the time of the claimed invention, to combine the teachings of Shurts and Edwards so as to teach the claimed invention for the motivation stated in the previous sentences.

Regarding claims 12, 14 (use of digital certificate, etc.) these features are well known in the art for the motivation of security. Regarding claims 13, 15 (handling various levels of security, etc.) .) these features are well known in the art for the motivation of using more specific handling of security (e.g., MAC computerizing department of defence's multilevel security – as noted at column 4 of Edwards).

### ***Conclusion***

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background

### ***Points of Contact***

**Any response to this action should be mailed to:**

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 746-7239, (for formal communications intended for entry)

**Or:**

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to David Jung whose telephone number is (703) 308-5262  
or Greg Morse whose telephone number is (703) 308-4789.

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David Jung

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A handwritten signature in black ink, consisting of a series of loops and a final upward stroke, positioned to the right of the dashed line.

Patent Examiner

9/20/04